

Department of Community Planning and Economic Development – Planning Division
Variances & Site Plan Review
BZZ – 4492

Date: August 24, 2009

Applicant: Minneapolis Park and Recreation Board

Address of Property: 2307 17th Avenue South

Project Name: East Phillips Park Cultural & Community Center

Contact Person and Phone: Mark Kalar, (612) 752-6972

Planning Staff and Phone: Janelle Widmeier, (612) 673-3156

Date Application Deemed Complete: July 31, 2009

End of 60-Day Decision Period: September 29, 2009

Ward: 9 **Neighborhood Organization:** East Phillips Improvement Coalition (adjacent to Ventura Village)

Existing Zoning: R2B Two-Family Residence District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 21

Legal Description: Not applicable for this application

Proposed Use: Public park cultural and community center.

Concurrent Review:

Variance to reduce the required front yard along 17th Ave from 20 feet to 3 feet to allow the building and to 5 feet to allow a surface parking area.

Variance to allow walkways wider than 8 feet, bicycle racks, and a trash enclosure and containers as obstructions in the required front yard adjacent to 17th Avenue.

Variance to allow parking between a principal structure and the front lot line (17th Ave) in a residential district.

Site plan review.

Applicable zoning code provisions: Chapter 525, Article IX Variances, specifically Section 525.520(1) “to vary the yard requirements, including permitted obstructions into required yards not allowed by the applicable regulations.” and Section 525.520(8) “to permit parking that cannot comply

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with the location requirements for on-site parking, as specified in Chapter 537, Accessory Uses and Structures, and Chapter 541, Off-Street Parking and Loading.”; and Chapter 530, Site Plan Review.

Background: The applicant proposes to construct a new building to establish a community center in a public park. The site occupies the block bound by 22nd Street East, Hiawatha Avenue, Cedar Avenue, 24th Street East and 17th Avenue South. The building would be located on the west side of the park. A small building with restrooms would be demolished to allow construction of the new building. A surface parking area would also be constructed as part of this project. A similar project was reviewed by the planning commission in December of last year and received approvals for a conditional use permit to increase the height of the a building, a variance to reduce the front yard requirement to allow the building, parking lot, and walkways, a variance to allow parking between the building and the street, a variance to reduce the parking requirement, and a site plan review. This proposal is a smaller building that has only one floor instead of two; however changes to the footprint of the building are minor. Some other changes to the site plan include reducing the number of parking spaces by one space, and moving the building and parking closer to the front lot line. Various exterior features of the building have also been modified. Many of these changes affect zoning requirements and require amendments to the approved applications.

A 20 foot front yard adjacent to 17th Avenue South is required. The building would be set back 3 feet and the parking area would be set back 5 feet from the front lot line. Walkways are permitted obstructions as long as they do not exceed 8 feet in width. Walkways wider than 8 feet are proposed. Bicycle racks, refuse containers and screening 6 feet in height are also proposed in the front yard. These obstructions are not permitted in a required front yard. The applicant is requesting an amendment to the variance to reduce the front yard requirement to move the building and parking closer to the street and to allow wider walkways, refuse containers and screening and bicycle racks in the front yard.

In residence districts, off-street parking areas are not allowed to be located between the principal building and the front lot line. The applicant is proposing to locate the surface parking area between the building and the front lot line adjacent to 17th Avenue. The applicant is requesting to amend the previously approved variance and reduce the landscaped yard between the parking area and the public right-of-way from 7 feet to 5 feet.

A site plan review is required for any new nonresidential building. Additional requests for alternative compliance require amendment of the previous site plan approval.

Correspondence from the East Phillips Improvement Coalition neighborhood group was received and is attached to this report. Staff will forward comments, if any are received, at the City Planning Commission meeting.

VARIANCES: 1) to reduce the required front yard along 17th Ave from 20 feet to 3 feet to allow the building and to 5 feet to allow a surface parking area, 2) to allow walkways wider than 8 feet, bicycle racks, and a trash enclosure and containers as obstructions in the required front yard adjacent to 17th Avenue, and 3) to allow parking between a principal structure and the front lot line (17th Ave) in a residential district.

Findings as required by the Minneapolis Zoning Code:

- 1. The property can not be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Variance to reduce the front yard requirement and variance to allow parking between a building and street: A 20 foot front yard is required along 17th Avenue. The applicant is proposing a 3 foot setback for the building and a 5 foot setback for a parking area. Walkways wider than 8 feet, bicycle racks, a refuse enclosure and containers, which are not allowed obstructions in a required front yard, would be located in the yard. The applicant is also proposing to locate the parking area between the building and the front lot line. This is not allowed in the residence districts.

The site is a through lot and has frontage on four streets. There are no other uses or buildings located on the same block front. The applicant has indicated that in order to maintain the most amenities including a multi-purposed field used for baseball, football, and soccer, the building, parking, and refuse storage must be located closer to the street. There is also a large earth mound just north of the proposed building location and existing park amenities on the south side of the park affecting the placement of the building, parking and refuse storage. The wide walkways would provide access from the parking area and sidewalk to the principal building entrance. The extra width provides gathering areas for pedestrians. Locating the bike racks next to the main entrance is convenient for bicyclists and encourages alternative transportation. The refuse storage area and enclosure would be accessed from the parking area. Locating further into the parking would eliminate landscaped area. The requests are reasonable.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Variance to reduce the front yard requirement and variance to allow parking between a building and street: The site is a through lot and has frontage on four streets. In the park, there are no other buildings fronting 17th Avenue. A utility easement held by the City is located in vacated 18th Street, which restricts where the building can be located. There is also a large earth mound just north of the proposed building location and existing park amenities on the south side of the park affecting the placement of the building, parking and refuse storage. Parks have frequent pedestrian and bicycle traffic where wider walkways and convenient access to bicycle parking are needed. These circumstances are unique to the property and have not been created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Variance to reduce the front yard requirement and variance to allow parking between a building and street: In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of

yards in order to provide adequate light, air, open space and separation of uses. Restrictions on the location of parking areas in residential areas are established to ensure compatibility between parking areas and residential uses and maintain the residential character of the districts.

The site is a through lot and has frontage on four streets. In the park, there are no other buildings fronting 17th Avenue. The applicant is proposing a 3 foot setback for the building and a 5 foot setback for the parking area. Between the building and the street, the applicant would provide shrubs and perennials. Between the parking and the street, the applicant would provide a variety of shrubs. Through the site plan review application, staff is recommending that the applicant also provide trees adjacent to the parking lot. To reach the front entrance, pedestrians would not have to walk through the parking lot. Parks have frequent pedestrian traffic where wider walkways are needed. The walkways exceeding 8 feet in width lead to the principal entrance and could provide gathering places for pedestrians. Convenient bicycle parking is also essential for a public use. Accessing the refuse containers from the parking area retains landscaped area. Because the proposed refuse storage location will be very visible from the street, the screening provided should incorporate a primary exterior material(s) proposed on the community center. The granting of the variances should have little effect on the surrounding properties and are in keeping with the intent of the ordinance with the adoption of the staff recommendations.

4. **The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Variance to reduce the front yard requirement and variance to allow parking between a building and street: The granting of the variances should not affect public safety or increase congestion in the public streets.

SITE PLAN REVIEW

Findings as required by the Minneapolis Zoning Code for the site plan review:

- A. **The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. **The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.

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- The area between the building and the lot line shall include amenities.
 - The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
 - Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
 - For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
 - In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
 - Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
 - Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
 - The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
 - The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
 - Entrances and windows:
 - Residential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
- Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- The form and pitch of roof lines shall be similar to surrounding buildings.
 - Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

Conformance with above requirements:

The building would be oriented towards 17th Avenue. Windows facing the parking area and the outdoor park amenities would allow natural surveillance and visibility. Multiple walkways would connect the building to the surrounding streets.

The site is a through lot and has frontage on four streets. Along 17th Avenue, the building would be set back between 3 and 74 feet. The building would be set back over 120 feet from 24th Street East and over 240 feet 22nd Street East. The minimum front yard requirements along 17th Avenue and 24th Street are 20 feet. The minimum corner side yard setback adjacent to 22nd Street is 14 feet. The applicant is requesting a variance to reduce the front yard requirement adjacent to 17th Avenue. There are no other uses or buildings located on the same block front. The applicant has indicated that in order to maintain the most amenities including a multi-purposed field used for baseball, football, and soccer, the building and parking must be located closer to the street. There is also a large earth mound just north of the proposed building location and existing park amenities on the south side of the park affecting the placement of the building and parking. For these reasons, staff believes alternative compliance is warranted to allow the proposed placement of the building. Staff is also recommending approval of the variance.

Except where the parking area is located, landscaping, wide walkways, benches, and bicycle racks would be located between the building and lot lines. The applicant would provide a landscaped yard between the parking area and adjacent lot line.

A principal entrance would face 17th Avenue.

A surface parking area would be located between the building and 17th Avenue. In the residential districts, locating parking between the building and the front lot line is not allowed. The applicant is requesting a variance. Physical features of the site limit where parking can be provided. There is a large earth mound just north of the proposed building location and existing park amenities on the south side of the park affecting the placement of the building and parking. The applicant has indicated that in order to maintain the most amenities including a multi-purposed field used for baseball, football, and soccer, the building and parking must be located closer to the street. The particular placement of the parking area and walkways would still facilitate pedestrian access and would not require people to walk through the parking lot to access the building. For these reasons, staff believes alternative compliance is warranted. Staff is also recommending approval of the variance.

To divide the buildings into smaller, identifiable sections, recesses and projections, multiple entrances, windows and other architectural features have been incorporated.

Some of the building walls would not include sufficient architectural elements to avoid blank walls exceeding 25 feet in width. The west wall next to the 17th Avenue entrance and adjacent to the restroom is a 31 foot wide blank wall. Upper portions of the north, east and south walls of the gymnasium also would be blank in excess of 25 feet. On the restroom wall, the exterior material proposed is rockface concrete masonry units. Providing windows would be impractical.

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Further, visibility to and from this space would provide little surveillance value. The upper part of the gymnasium walls are considered blank because the room is more than 14 feet in height and are considered two stories. The exterior materials proposed are prefabricated concrete panels with a metal panel and glazing system band just below the roof line. On the south elevation, visibility of the blank wall is limited from the ground because the first floor wall extends out further. On the north and east walls of the gymnasium, the applicant is proposing two-inch deep reveals. The two-inch deep reveals sufficiently break-up the lower portions of these walls; however, not all of the reveals extend the full height of the wall. Although these walls would not fully comply, the applicant intends to incorporate different colors and textures in the concrete panels. The metal panel and glazing system band just below the roof line also reduces the amount of wall area without architectural details. The purpose of the space and the site limitations affecting the placement of the building make it impractical to provide windows on these walls. For these reasons, staff believes alternative compliance is warranted for these walls.

The primary exterior materials, including prefabricated concrete panels, metal panels and rockface concrete masonry units, would be durable. Please note, exterior material changes at a later date would require review by the planning commission and an amendment to the site plan review.

Plain face concrete block would not be used as a primary exterior building material.

All sides of the building would be similar in appearance and compatible.

Principal entrances would project from the building and would be sheltered by canopies to emphasize their importance.

On the west and north elevations facing the street and parking lot, thirty percent windows are required. On the west elevation, 28.8 percent windows would be provided. Approximately half of the west elevation is adjacent to the gymnasium, storage spaces, and a restroom and would not contain windows counted towards the 30 percent requirement. Clear-story windows have been provided in the storage room, but they do not meet the standards of required windows because they would be more than four feet above the adjacent grade. Providing windows in these walls would be impractical and would not provide natural surveillance. On the north wall facing the parking lot, 38.4 percent windows would be provided. The additional windows provided on this wall would allow natural surveillance of the parking lot. Windows used to meet the minimum requirements would be vertical in proportion and would not be more than 4 feet above the adjacent grade. The windows are required to be clear or lightly tinted with a light transmittance ratio greater than 0.6. This information must be identified on the final plans. These windows must also allow views into and out of the building at eye level and not be obstructed. For these reasons, staff recommends that the planning commission grant alternative compliance for the amount of window area required on the west elevation and to allow the window area to be allocated unevenly (to one end of the building).

The roofs on the building would be flat. Multi-family and nonresidential buildings in the area have a mix of flat and pitched roofs.

ACCESS AND CIRCULATION:

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.
- Site plans shall minimize the use of impervious surfaces.

Conformance with above requirements:

Walkways exceeding four feet in width are proposed from the public sidewalk and parking areas to the building entrances.

There are not any transit shelters adjacent to the site.

Vehicular access to the site would be from 17th Avenue. Two curb cuts, one entrance and one exit, are proposed. One curb cut would be 16 feet wide and the other would be 20 feet wide. Public Works would like a maximum curb cut width of 16 feet for one-way access unless truck turning movements show a wider curb cut is necessary. Planning staff agrees that narrow curb cuts are preferable if practical to minimize conflicts with pedestrian and surrounding residential traffic and to prevent potential confusion about whether there is one- or two-way access to the parking lot.

There are no public alleys adjacent to the site.

Excessive amounts of impervious surface are not proposed in the development.

LANDSCAPING AND SCREENING:

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year.
- Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.

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- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.
- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance with above requirements:

The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is 282,794 square feet. The building footprints would be approximately 14,564 square feet. The lot area minus the building footprints therefore consists of approximately 268,230 square feet. At least 20 percent of the net site area (53,646 square feet) must be landscaped. The applicant's landscape plan proposes to landscape approximately 184,850 square feet, which far exceeds the minimum requirement.

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 108 and 537 respectively. The applicant is proposing to keep approximately 82 on-site deciduous canopy trees and 23 on-site coniferous trees. The applicant is also proposing to add 26 on-site canopy trees, 5 pine trees, 146 shrubs, and other perennials and grasses. A large part of the park is occupied by ball fields and other gathering spaces, which limits how many shrubs can be planted. Staff is recommending that the planning commission grant alternative compliance to the shrub requirement.

A 20-foot landscaped yard is required between the surface parking area and 17th Avenue. The applicant is requesting a variance to reduce the yard requirement to 5 feet. Staff is recommending approval of the variance and recommends that the planning commission also grant alternative compliance.

Screening that is 3 feet in height and at least 60 percent opaque is also required between the parking area and the streets. A row of shrubs is proposed in the landscaped yard in front of the parking that would be three feet in height at maturity.

Canopy trees are required to be provided for every 25 feet of parking area lot frontage. Nine trees are required. No trees are proposed in the required landscaped yard. One tree exists in the interior boulevard that will remain. The applicant is proposing to plant six boulevard trees along 17th Avenue where large gaps currently exist; however, only two of these would be adjacent to the parking lot. The previously approved plan proposed 10 trees in the required landscaped yard. Additional trees could be provided placed alternately from those in the boulevard. Staff

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recommends that the planning commission grant partial alternative compliance and require the applicant to provide four trees in the landscaped yard adjacent to the parking area.

The landscape plan indicates that areas of the parking lot that are unavailable for parking or vehicle circulation would be landscaped.

Nine of the 16 parking spaces would not be within 50 feet of an on-site deciduous tree as proposed. If the staff recommendation to provide four trees in the landscaped yard is adopted, alternative compliance would not be necessary.

Turf would cover all areas that are not paved, landscaped, or occupied by park amenities.

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels
 - Territorial reinforcement and space delineation
 - Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Conformance with above requirements:

Continuous six inch by six inch concrete curbing is proposed around the surface parking area except where a gap in the curbing would allow stormwater to flow into a proposed rain garden.

The new building should not block or impede the views of any important elements of the city.

The tallest part of the building would be set back over 70 feet from the closest street. There are no residential properties directly adjacent to the site. Shadowing from the building should have little impact on public spaces and adjacent properties.

Wind currents should not be a major concern.

The site design provides natural surveillance and visibility with windows facing the parking area, street, and park activity areas. The proposal controls and guides to movement on the site with clearly defined walkways. Lighting is required to comply with the zoning code requirements.

The building to be removed is not a designated historic structure.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE: A public park is a permitted use in the R2B district. The proposed community center would be an accessory use to the park.

Parking and Loading: (The parking requirements have changed from when this project was previously reviewed.)

Minimum automobile parking requirement: Parks are not required to provide parking for automobiles except when a park includes facilities such as an indoor recreation area. A gym is proposed in the community center, which requires 6 spaces per full-basketball court. One full-court is proposed. Sixteen spaces including one accessible space are proposed.

Maximum automobile parking requirement: The maximum parking requirement for both parks and indoor recreation areas is as determined by the zoning administrator. The proposed site plan includes a reasonable number of off-street parking spaces and does not conflict with the intent of maximum parking requirement.

Bicycle parking requirement: There is not a minimum bicycle parking requirement for a park. Twelve bike spaces are proposed.

Loading: Parks do not have a minimum loading requirement.

Other requirements: In residence districts, off-street parking areas are not allowed to be located between the principal building and the front lot line. The applicant is proposing to locate the surface parking area between the building and the front lot line adjacent to 17th Avenue. The applicant is requesting to amend the previously approved variance and reduce the landscaped yard between the parking area and the public right-of-way from 7 feet to 5 feet.

Maximum Floor Area: The lot area, according to the applicant, is 282,794 square feet. The maximum FAR allowed is 0.5. The building would have a total of 14,564 square feet. The total FAR would be 0.05.

Minimum Lot Area: As previously noted, the overall lot has 282,794 square feet. The minimum area required for a park is 20,000 square feet.

Height: Nonresidential building height in the R2B district is limited to 2.5 stories or 35 feet, whichever is less. The tallest height of the building would be 30.5 feet at the top of the parapet. Although the building would have only one floors, by definition of the zoning code it is two stories. A story is defined as that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or 14 feet, whichever is less. The gymnasium would be greater than 14 feet, therefore it is considered two stories.

Yard Requirements: The site is a through lot (a lot that fronts upon two generally parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lot). It has required front yards adjacent to 17th Avenue South, 24th Street East and Cedar Avenue. The minimum front yard required along these streets is 20 feet. Along 22nd Street East, a corner side yard of 14 feet is also required. All construction would occur outside of the required yards, except along 17th Avenue. The building would be set back 3 feet and the parking area would be set back 5 feet from the front lot line. Walkways are permitted obstructions as long as they do not exceed 8 feet in width. Walkways wider than 8 feet are proposed. Bicycle racks, refuse containers and screening 6 feet in height are also proposed in the front yard. These obstructions are not permitted in a required front yard. The applicant is requesting a variance to reduce the front yard requirement to allow the building, parking, walkways, refuse containers and screening and bicycle racks.

Lot Coverage: Not more than 50 percent of a zoning lot can be covered by buildings in the R2B district. On the proposed lot of 282,794 square feet, 141,397 square feet of building coverage is allowed. The proposed building foot print is 14,564 square feet. The total building lot coverage proposed is 5.1 percent of the lot area.

Impervious Surface: Not more than 65 percent of a zoning lot can be impervious surfaces. The total amount of impervious surfaces proposed in the park is approximately 98,000 square feet or 35 percent of the lot area.

Specific Development Standards: Not applicable.

Lighting: Existing and proposed lighting must comply with Chapter 535 and Chapter 541 of the zoning code including:

535.590. Lighting. (a) *In general.* No use or structure shall be operated or occupied as to create light or glare in such an amount or to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance.

(b) *Specific standards.* All uses shall comply with the following standards except as otherwise provided in this section:

- (1) Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half (1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
- (2) Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.

- (3) Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
- (4) Lighting shall not create a hazard for vehicular or pedestrian traffic.
- (5) Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

Screening of mechanical equipment: Mechanical equipment proposed for the development must comply with Chapter 535 screening requirements:

535.70. Screening of mechanical equipment. (a) In general. All mechanical equipment installed on or adjacent to structures shall be arranged so as to minimize visual impact using one (1) of the following methods. All screening shall be kept in good repair and in a proper state of maintenance.

- (1) Screened by another structure. Mechanical equipment installed on or adjacent to a structure may be screened by a fence, wall or similar structure. Such screening structure shall comply with the following standards:
 - a. The required screening shall be permanently attached to the structure or the ground and shall conform to all applicable building code requirements.
 - b. The required screening shall be constructed with materials that are architecturally compatible with the structure.
 - c. Off-premise advertising signs and billboards shall not be considered required screening.
- (2) Screened by vegetation. Mechanical equipment installed adjacent to the structure served may be screened by hedges, bushes or similar vegetation.
- (3) Screened by the structure it serves. Mechanical equipment on or adjacent to a structure may be screened by a parapet or wall of sufficient height, built as an integral part of the structure.
- (4) Designed as an integral part of the structure. If screening is impractical, mechanical equipment may be designed so that it is balanced and integrated with respect to the design of the building.

(b) Exceptions. The following mechanical equipment shall be exempt from the screening requirements of this section:

- (1) Minor equipment not exceeding one (1) foot in height.
- (2) Mechanical equipment accessory to a single or two-family dwelling.
- (3) Mechanical equipment located in an I2 or I3 District not less than three hundred (300) feet from a residence or office residence district.

The mechanical equipment would be enclosed within the building.

Dumpster screening: Screening must comply with Chapter 535 of the zoning code including:

535.80. Screening of refuse storage containers. Refuse storage containers shall be enclosed on all four (4) sides by screening compatible with the principal structure not less than two (2) feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses.

The proposed shrubs on three sides of the containers would not provide sufficient screening. The screening provided needs to be at least 95 percent opaque, 6 feet in height, and on all four sides. Final plans will need to identify the screening including materials, height and elevations.

Signs: A wall sign is proposed. The size and height comply with the district requirements. Any new signage will require Zoning Office review, approval, and permits.

MINNEAPOLIS PLAN: The site is located within the Franklin Transit Station Area. In addition to the principles and policies discussed in the conditional use permit section of this staff report, the following apply:

1.2 Minneapolis will encourage both public and private development that provides gathering spaces in city neighborhoods.

Applicable Implementation Step

Develop new facilities that act as gathering spaces in parks and on other publicly owned land.

6.3 Minneapolis will offer a diverse range of programming and recreational facilities for resident use.

Applicable Implementation Step

Diversify the recreational facilities offered by the city to respond to the wide range of resident interests.

6.4 Minneapolis will make parks secure, attractive places and ensure that these facilities are accessible, enjoyable and safe.

Applicable Implementation Step

Use design features that promote safety and security when constructing or renovating park spaces.

9.12 Minneapolis will promote design solutions for automobile parking facilities that reflect principles of traditional urban form.

Applicable Implementation Steps

Require the landscaping of parking lots.

Locate parking lots behind buildings or in the interior of a block to reduce the visual impact of the automobile in mixed-use areas.

9.17 Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact

the public realm, including open spaces and parks, on publicly owned and private land.

Applicable Implementation Step

Integrate "eyes on the street" design principles into site plan review to foster safer and more successful commercial areas in the city.

9.39 Minneapolis recognizes that parking is a necessary part of the urban environment, but will limit the amount, location, and design of parking in TSAs in order to encourage and support walking, bicycling, and transit use.

Applicable Implementation Steps

Establish upper limits on the amount of off-street parking so that walking, bicycling and transit use are not discouraged.

The *Franklin-Cedar/Riverside Transit Oriented Development Plan*, adopted by the City Council in 2001, designates the land use of the subject site to remain as park. Additional guidance is not provided.

Staff comments: The cultural and community center would provide gathering spaces and diverse programming. Although certain functions within the building would limit where windows could be provided, the building design would provide sufficient amounts of windows facing the parking area and street. The proposal controls and guides to movement on the site with clearly defined walkways. Lighting is required to comply with the zoning code requirements. Although the comprehensive plan discourages locating parking between a building and a street, the proposed placement of the parking area and the limited number of parking spaces would preserve open space to allow other park amenities. Staff is recommending that additional trees are located adjacent to the parking lot to minimize adverse impacts of the parking lot location. The amount of automobile parking proposed should not discourage users of the community center from using alternative modes of transportation. The applicant is proposing 12 bicycle spaces. This number of spaces should be maintained as a minimum.

ALTERNATIVE COMPLIANCE. The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

Alternative compliance is requested by the applicant for the following standards:

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- Location of the buildings within 8 feet from a lot line adjacent to a street

The site is a through lot and has frontage on four streets. Along 17th Avenue, the building would be set back between 3 and 74 feet. The building would be set back over 120 feet from 24th Street East and over 240 feet 22nd Street East. The minimum front yard requirements along 17th Avenue and 24th Street are 20 feet. The minimum corner side yard setback adjacent to 22nd Street is 14 feet. The applicant is requesting a variance to reduce the front yard requirement adjacent to 17th Avenue. There are no other uses or buildings located on the same block front. The applicant has indicated that in order to maintain the most amenities including a multi-purposed field used for baseball, football, and soccer, the building and parking must be located closer to the street. There is also a large earth mound just north of the proposed building location and existing park amenities on the south side of the park affecting the placement of the building and parking. For these reasons, staff believes alternative compliance is warranted to allow the proposed placement of the building. Staff is also recommending approval of the variance.

- Location of the surface parking area

A surface parking area would be located between the building and 17th Avenue. In the residential districts, locating parking between the building and the front lot line is not allowed. The applicant is requesting a variance. Physical features of the site limit where parking can be provided. There is a large earth mound just north of the proposed building location and existing park amenities on the south side of the park affecting the placement of the building and parking. The applicant has indicated that in order to maintain the most amenities including a multi-purposed field used for baseball, football, and soccer, the building and parking must be located closer to the street. The particular placement of the parking area and walkways would still facilitate pedestrian access and would not require people to walk through the parking lot to access the building. For these reasons, staff believes alternative compliance is warranted. Staff is also recommending approval of the variance.

- Blank, uninterrupted walls exceeding 25 feet in width

Some of the building walls would not include sufficient architectural elements to avoid blank walls exceeding 25 feet in width. The west wall next to the 17th Avenue entrance and adjacent to the restroom is a 31 foot wide blank wall. Upper portions of the north, east and south walls of the gymnasium also would be blank in excess of 25 feet. On the restroom wall, the exterior material proposed is rockface concrete masonry units. Providing windows would be impractical. Further, visibility to and from this space would provide little surveillance value. The upper part of the gymnasium walls are considered blank because the room is more than 14 feet in height and are considered two stories. The exterior materials proposed are prefabricated concrete panels with a metal panel and glazing system band just below the roof line. On the south elevation, visibility of the blank wall is limited from the ground because the first floor wall extends out further. On the north and east walls of the gymnasium, the applicant is proposing two-inch deep reveals. The two-inch deep reveals sufficiently break-up the lower portions of these walls; however, not all of the reveals extend the full height of the wall. Although these walls would not fully comply, the applicant intends to incorporate different colors and textures in the concrete panels. The metal panel

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and glazing system band just below the roof line also reduces the amount of wall area without architectural details. The purpose of the space and the site limitations affecting the placement of the building make it impractical to provide windows on these walls. For these reasons, staff believes alternative compliance is warranted for these walls.

- Minimum window requirements

On the west and north elevations facing the street and parking lot, thirty percent windows are required. On the west elevation, 28.8 percent windows would be provided. Approximately half of the west elevation is adjacent to the gymnasium, storage spaces, and a restroom and would not contain windows counted towards the 30 percent requirement. Clear-story windows have been provided in the storage room, but they do not meet the standards of required windows because they would be more than four feet above the adjacent grade. Providing windows in these walls would be impractical and would not provide natural surveillance. On the north wall facing the parking lot, 38.4 percent windows would be provided. The additional windows provided on this wall would allow natural surveillance of the parking lot. For these reasons, staff recommends that the planning commission grant alternative compliance for the amount of window area required on the west elevation and to allow the window area to be allocated unevenly (to one end of the building).

- Minimum number of shrubs

The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 108 and 537 respectively. The applicant is proposing to keep approximately 82 on-site deciduous canopy trees and 23 on-site coniferous trees. The applicant is also proposing to add 26 on-site canopy trees, 5 pine trees, 146 shrubs, and other perennials and grasses. A large part of the park is occupied by ball fields and other gathering spaces, which limits how many shrubs can be planted. Staff is recommending that the planning commission grant alternative compliance to the shrub requirement.

- Landscaped yard requirement between a parking area and a street

A 20-foot landscaped yard is required between the surface parking area and 17th Avenue. The applicant is requesting a variance to reduce the yard requirement to 5 feet. Staff is recommending approval of the variance and recommends that the planning commission also grant alternative compliance.

- Providing a tree for every 25 feet of parking lot frontage and within 50 feet of each parking space

Canopy trees are required to be provided for every 25 feet of parking area lot frontage. Nine trees are required. No trees are proposed in the required landscaped yard. One tree exists in the interior boulevard that will remain. The applicant is proposing to plant six boulevard trees along 17th Avenue where large gaps currently exist; however, only two of these would be adjacent to the parking lot. The previously approved plan proposed 10 trees in the required landscaped yard. Additional trees could be provided placed alternately from those in the boulevard. Staff recommends that the planning commission grant partial alternative

compliance and require the applicant to provide four trees in the landscaped yard adjacent to the parking area.

Nine of the 16 parking spaces would not be within 50 feet of an on-site deciduous tree as proposed. If the staff recommendation to provide four trees in the landscaped yard is adopted, alternative compliance would not be necessary.

RECOMMENDATIONS

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Variance:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to reduce the required front yard along 17th Ave from 20 feet to 3 feet to allow the building and from 20 feet to 5 feet to allow a surface parking area for the property located at 2307 17th Avenue South.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Variance:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to allow walkways wider than 8 feet, bicycle racks, and a trash enclosure and containers as obstructions in the required front yard adjacent to 17th Avenue for the property located at 2307 17th Avenue South, subject to the following condition:

- 1) Screening for the refuse containers shall comply with section 535.80 of the zoning code and shall incorporate a primary exterior material(s) proposed on the community center.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Variance:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to allow parking between a principal structure and the front lot line (17th Ave) in a residential district for the property located at 2307 17th Avenue South.

Recommendation of the Community Planning and Economic Development Department – Planning Division for the Site Plan Review:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for site plan review located at the property of 2307 17th Avenue South, subject to the following conditions:

- 1) Community Planning and Economic Development Department – Planning Division staff review and approval of the final elevations, site and landscape plans.

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- 2) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by August 24, 2010, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.
- 3) Windows provided on the north and west elevations, except those adjacent to the storage rooms, shall have clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher and shall allow views into and out of the building at eye level as required by section 530.120(b)(2) of the zoning code. The type of glass and light transmittance ratio shall be identified on all final and construction plans.
- 4) At least four canopy trees shall be provided in the landscaped yard adjacent to the parking lot as required by section 530.170 of the zoning code.

Attachments:

1. Preliminary Development Review comments
2. Applicant statement of proposed use, photos, and findings
3. Correspondence
4. Zoning map
5. Plans